

October 2010

Fact Sheet:

Oil Spill Prevention, Control and Countermeasure (SPCC) Program

Goal

The goal of the SPCC program is the prevention of oil and fuel spills into waters of the United States and adjoining shorelines.

By November 10, 2011, certain farms and other facilities must have an SPCC plan to prevent oil spills and a plan for cleanup and mitigation needed following a spill.

If a farm or facility meets the definition of this regulation, it must have a plan.

Who must comply and what are the deadlines

Farms are considered “a facility on a tract of land devoted to the production of crops or raising of animals, including fish, which produced and sold, or normally would have produced and sold, \$1,000 or more of agricultural products during a year.” (EPA Federal Register/Vol.73, No. 235/Friday, Dec. 5, 2008)

Farms in operation on or before August 16, 2002, must maintain or update their existing SPCC plans by the November 10, 2011, deadline. This assumes that a plan is in place. If a farm operation began after August 16, 2002, a plan must be prepared and in use by Nov 10, 2011.

A farm is included if:

- Oil or oil products such as gasoline, lube oil, diesel fuel, hydraulic oil, crop oil, vegetable oil or animal fat are transferred, used or consumed **and**
- More than 1,320 U.S. gallons is stored in aboveground containers or more than 42,000 U.S. gallons is stored in completely buried containers **and**
- Oil could reasonably be expected to discharge to waters of the U.S. or adjoining shorelines, such as interstate waters, intrastate lakes, rivers and streams. The nature and flow properties of oil when combined with a rain event must be considered.

NOTE:

- Only containers that are 55 U.S. gallons and larger should be included in the 1,320 U.S. gallon total.
- Additional parcels of land, either owned or leased, may be considered separate facilities for SPCC purposes and need separate plans. Separate facilities are those that are identified or operated as separate facilities by a farmer.

What do I do if I believe a farm needs a SPCC Plan?

A SPCC plan must be prepared and implemented. A plan template is available on the EPA website: www.epa.gov/oem/content/spcc/.

This template can be used to self-certify portions of the SPCC plan if:

1. The farm has less than 10,000 gallons of aboveground storage **and**
2. In the three-year period prior to self-certification, the farm has not had
 - a. A spill of more than 1,000 gallons or
 - b. Two spills, each exceeding 42 gallons, within any 12 month period

Failure to comply

When a plan is required, failure to produce a plan when inspected by the EPA may result in a fine.

What information is needed to prepare a plan?

- A list of oil containers 55 U.S. gallons and greater, including the contents and location of each container on your farm
- The procedures to be used to prevent oil spills
- The measures installed to prevent oil from reaching water
- The measures to be used to contain and clean up an oil spill to water
- A list of emergency contacts and first responders

Examples of spill prevention measures that should be implemented and included in your plan

- Regularly inspect above-ground pipes and containers.
- Use secondary containment measures such as dikes or remote impoundments for bulk storage containers. The dike may be constructed of earth, concrete or a double-walled tank.
- Use containers appropriate for the oil storage, such as a container designed for flammable liquids.
- Have overfill prevention for the oil storage containers. This can be an established procedure to fill the containers or measures such as an audible vent or alarm.
- List a local work force or contractors who can help clean up an oil spill should one occur. Contact a local commercial bulk oil dealer for referrals.
- Have hand-drawn diagrams of the farm showing oil tank locations, contents and capacities.

What should I do if I have an oil spill?

- Activate your SPCC Plan procedures to prevent the oil spill from reaching a creek or river.
- Implement spill cleanup and mitigation procedures outlined in your Plan.
- Notify the National Response Center at 800-424-8802 if you have an oil discharge to waters or adjoining shorelines.
- If the amount of oil spilled to water is more than 42 gallons on two different occasions within a 12-month period or more than 1,000 gallons to water in a single spill event, then notify your EPA Regional office in writing.

Where does my plan go when it's complete?

- Your plan stays in your possession.
- If there is a spill, certain information must be disclosed to EPA.

Additional Information from EPA

The SPCC rule and templates are available at www.epa.gov/emergencies/spcc.

Pilot Initiative underway in Utah

On October 21, 2010, USDA announced a pilot initiative in eight states, including Utah, to help agricultural producers comply with these revised EPA regulations.

Currently, funding is available to qualified producers to assist in developing SPCC plans and implementing the approved NRCS secondary oil and fuel containment conservation practices. NRCS developed an interim conservation practice standard that can be used by Technical Service Providers to help them design oil/fuel containment facilities conforming to this EPA regulation.

Producers who think they may qualify, may contact any NRCS field office to help make that determination. Field office contact information is available in the phone book under U.S. Government, or at the Utah NRCS Web site at www.ut.nrcs.usda.gov.

NRCS partnered with the National Milk Producers Federation to develop a template for dairy producers to help them determine if they needed an SPCC plan and whether or not they could self-certify their plans. The SPCC template can be utilized by the 84 percent of farms meeting the self-certification criteria, meeting the EPA revised rules. This template is available at: <http://nmpf.org/files/file/SPCC-Plan-Template-Final-Sept-20-2010-FORM.pdf>

Contacts

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